

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

PAUL EDWARD DURAN,

Plaintiff,

v.

LONGORIA,

Defendant.

Case No. 1:20-cv-00289-HBK (PC)

ORDER DENYING DEFENDANT'S
MOTIONS AS MOOT

(Doc. Nos. 66, 67)

Pending before the Court are Defendant's Motion to Revoke Plaintiff's IFP Status filed November 22, 2024, and Motion to Stay filed November 27, 2024. (Doc. Nos. 66, 67). Defendant requests the Court to revoke Plaintiff's *in forma pauperis* status that the Court granted on March 3, 2020, because Plaintiff admits to having received an inheritance of approximately \$132,000 in 2022 or 2023. (*See generally* Doc. No. 66). Because Defendant does not contend that Plaintiff's declaration of indigency was not true at the time of filing or that he mislead the Court or otherwise acted in bad faith, Defendant does not seek dismissal of the action. (Doc. No. 66-1 at 2:15-17). Rather, Defendant requests that Plaintiff's *in forma pauperis* status be revoked and Plaintiff be ordered to prepay the costs and fees to proceed with his litigation due to Plaintiff's changed financial circumstances during the course of this litigation. (*Id.* at 2:17-19). Defendant also seeks

1 a stay of the remaining deadlines in the December 7, 2023 Discovery and Scheduling Order pending
2 a ruling on the Motion to Revoke IFP and, if granted, Plaintiff's payment of the filing fee. (Doc.
3 No. 67).

4 The Court's review of its financial records reflects that, as of December 2, 2024, no balance
5 is owed on the \$350 filing fee assessed in this action. Consequently, because the filing fee has been
6 paid in full there is no balance to order to be paid and the Motion to Revoke IFP Status is moot.
7 Likewise, Defendant's Motion to Stay is rendered moot.

8 ACCORDINGLY, it is hereby ORDERED:

9 Defendant's Motion to Revoke Plaintiff's IFP Status (Doc. No. 66) and Motion to Stay
10 (Doc. No. 67) are denied as moot.

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12 Dated: December 2, 2024


13 HELENA M. BARCH-KUCHTA
14 UNITED STATES MAGISTRATE JUDGE
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